

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE APPLE INC. SECURITIES
LITIGATION

Case No. C06-05208-JF

CLASS ACTION

**DECLARATION OF CLAIMS ADMINISTRATOR ON NOTICE TO
SALLY VAN HAITSMAN AND CLAIMS POSTMARKED LATER
THAN MARCH 15, 2011**

I, ROBERT OSEAS, declare as follows:

1. I am a Project Manager employed by Epiq Class Action and Claims Solutions Inc., ("Epiq"), f/k/a Poorman-Douglas Corp., the Claims Administrator designated in the Amended Stipulation and Agreement of Settlement in this matter and approved by the Court in its Amended Order Preliminarily Approving Settlement, Directing Notice of Settlement, and Scheduling Settlement Fairness Hearing. *See* Dkt. 134-1 at ¶1.6 and Dkt. 139 at ¶8.

2. I am overseeing and am fully familiar with the notice implementation actions taken by Epiq in connection with the Settlement, as described below.

3. This Declaration is based upon my personal knowledge and information provided to me by associates and staff under my supervision and is accurate and truthful to the best of my knowledge.

4. I submit this declaration as a supplement to my declarations of January 7, 2011, February 4, 2011, February 23, 2011 and March 15, 2011 (all attached hereto as **Attachment A**) to further describe and provide proof of noticing information provided by banks, brokers and

other nominees, noticing activities related to Sally Van Haitsma and Proof of Claim submissions postmarked later than March 15, 2011.

NOTICING INFORMATION PROVIDED BY NOMINEES

5. As stated in my previous declarations, Epiq mailed 5,804 copies of the Notice and Proof of Claim to known banks, brokers and other nominees on December 9, 2010, and sent the same documents electronically to the 365 banks, brokers and nominees for which Epiq had obtained email addresses. The Nominee Cover Letter included in the notice package directs each institution to compile a list of potential Class Members in order to provide notice by one or more of the following mechanisms: (i) send copies of the Notice and Proof of Claim to such potential Class Members directly, (ii) send an electronic list of names and addresses to Epiq for mailing, or (iii) send Epiq pre-printed address labels with the mailing information for potential Class Members, which Epiq could then use to mail a Notice and Proof of Claim. The instructions also requested that the banks, brokers and nominees complete their research within 14 days, in accordance with the Amended Preliminary Approval Order. Crowell, Wheedon & Co. was included in this initial noticing.

6. To date, Epiq has received 78 requests from banks, brokers and other nominees, resulting in the mailing of approximately 1,343,000 Notices and Proofs of Claim. Of these requests, 40 were received by Epiq later than January 1, 2011, approximately 23 days after the initial noticing efforts described above were completed.

7. On April 26, 2011, Sally Van Haitsma wrote to the Court objecting to the Settlement because she did not receive notice of the Settlement until after April 7, 2011.

8. On April 4, 2011, Epiq received from Crowell, Wheedon & Co. a list of 861 mailing labels for potential Class Members. A copy of the cover letter accompanying these labels

is attached hereto as **Attachment B**. The mailing labels provided by Crowell, Wheadon & Co. included information for Sally Van Haitsma at the following address:

Guarantee & Trust Co TTEE FBO
Sally Van Haitsma
Rollover IRA
1130 Cambria Way
Encinitas, CA 92024

9. On April 7, 2011, Epiq mailed copies of the Notice and Proof of Claim to all listed parties, including Sally Van Haitsma.

PROOFS OF CLAIM POSTMARKED LATER THAN MARCH 15, 2011

10. As described fully in the Notice and Proof of Claim, all potential Class Members were directed to file their Proof of Claim such that it is postmarked no later than March 15, 2011. Notwithstanding this deadline, Epiq has continued to receive and process Proofs of Claim. Plaintiffs' Lead Counsel has instructed that these untimely claims be accepted, subject to the Court's approval.

11. As of May 4, 2011, Epiq has received 18,211 untimely Proofs of Claim postmarked later than March 15, 2011. Of these claims, 10,235 are found to have a Recognized Claim value greater than \$0.00 under the Plan of Allocation.



Robert Oseas

Subscribed and sworn to before me this 5th day of May, 2011.



NOTARY PUBLIC

My Commission Expires: Oct. 16, 2011

